



Winston H. Hickox
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Protection

State Water Resources Control Board

Division of Water Quality

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Gray Davis
Governor

January 9, 2003

To: Interested Parties:

SUBSTANTIVE CHANGES TO THE PROPOSED SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) GENERAL PERMIT

Consideration of adoption of this General Permit was originally scheduled for the January 22, 2003 State Water Resources Control Board (SWRCB) meeting. However, in order to provide additional time for the interested public to review the changes that have been made since the December 2, 2002 public hearing on this; **SWRCB has rescheduled the consideration of adoption of this General Permit for February 4, 2003.** At least 10-days prior to the meeting, you will be notified of the exact time and place of this meeting.

The substantive changes to this General Permit follow. The SWRCB will only accept comments on the revisions being made to this permit. In order to have your comments on these changes fully considered we request that you submit your written comments by 5:00 PM, Tuesday, January 28, 2003. Please submit comments to Jarma Bennett at the State Water Resources Control Board, PO Box 1977, Sacramento, CA 95812-1977 or by fax at (916) 341-5543 or by email at stormwater@swrcb.ca.gov.

1. Clarified the requirements for submittal of Notice of Intent (NOI) and Storm Water Management Program (SWMP)

- Strikeout/Underline version Page 21: Application Requirements A.1.a
For MS4s operated by city/county government located in census defined urbanized areas, an NOI, SWMP and appropriate fee are to be submitted by March 10, 2003.
- Strikeout/Underline version Page 21: Application Requirements A.1.b
For MS4s operated by city/county government located in areas that are designated by the State or Regional Board as subject to permit, an NOI, SWMP, and appropriate fee are to be submitted 180 days after notification of this designation.
- Strikeout/Underline version Page 21: Application Requirements A.1.c
For non-traditional MS4s (previously referred to as governmental facilities operated by state or federal government or a special district), an NOI, SWMP, and appropriate fee are to be submitted 365 days after notification by the State or Regional Board.



- Strikeout/Underline version Page 22: Storm Water Management Program Requirements D. Clarified that the SWMP is to be completely implemented before expiration of the permit.

2. SUSMP and Receiving Water Limitations Language

- Strikeout/Underline version Page 27: Provision E and Attachment 4
Language was added requiring that MS4s serving populations of more than 50,000 or that have rapid growth projected will develop a Standard Urban Stormwater Management Program (SUSMP) program by the end of the permit term. Additionally, the SWMP program elements are to be developed in such a way that the iterative approach for complying with water quality standards will be used during the second permit cycle.

3. School Districts

- Strikeout/Underline version Page 26:
Storm Water Management Program Requirements D.2.e.
Language was added to the permit that specified that “the permit does not require the redesign of school facilities that have been submitted to the Department of General Services, Division of the State Architect before adoption of this permit, and which receive final approval from the Department of Education by December 31, 2004.”

4. Relationship of the Small MS4 Permit to the Industrial Storm Water Permit

- Strikeout/Underline version Page 19: Finding 13
Language was added to allow a non-traditional MS4 that is covered in its entirety by a Storm Water Pollution Prevention Plan (SWPPP) developed for the Industrial Permit to meet the permitting obligation by modifying the SWPPP to address the 6 minimum control measures.

5. Noncompliance Reporting

- Strikeout/Underline version Page 30: Standard Provision H.4.
The noncompliance reporting requirements were modified to allow notification of noncompliance within 30 days, unless human health or the environment are threatened.

If you have any questions please contact Jarma Bennett at (916) 341-5532 or Pamela Barksdale, Chief of the Municipal Unit at (916) 341-5280. You also can contact Bruce Fujimoto, Chief of the Storm Water Section at (916) 341-5523.

Sincerely,

/s/

Bruce Fujimoto, Chief
Storm Water Section

Attachments

